

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

QUAWNTAY ADAMS, et al.,

Defendants.

Case No. 04-CR-30029-DRH

ORDER

HERNDON, District Judge:

Previously, in an Order issued October 6, 2006 (Doc. 281), the Court granted Defendant's Motion for Extension of Time to File Supplemental Memorandum regarding his Motion to Dismiss Indictment (Doc. 279). The Court allowed defendant Adams until October 23, 2006, to file this supplemental brief. It then allowed the Government until November 6, 2006, to file its Response. Defendant actually filed his supplemental brief (Doc. 283) on October 24, 2006, but the Court notes that the file stamp shows it was filed at 12:35 a.m. and will therefore treat it as timely filed but cautions Defendant to strictly adhere to all deadlines in the future.

The Government then timely filed its Response (Doc. 285). However, prior to the Government filing its Response, Defendant filed a substantially similar supplemental memorandum, under the docket caption "First Motion to

Amend/Correct Supplemental Memorandum in Support of Motion to Dismiss” (Doc. 284). Although this document was labeled as a motion, there was no actual motion included, but counsel for Defendant explained that he had inadvertently filed an unedited version of the supplemental memorandum and the Motion to Amend, therefore, sought only to file the edited version.

The Court thereby **GRANTS** Defendant’s Motion (Doc. 284) to Amend/Correct the Supplemental Memorandum in Support of Defendant’s Motion to Dismiss. The memorandum at docket number 284 shall be deemed filed **INSTANTER**, superseding the memorandum at docket number 283, which is hereby **STRICKEN** from the record.¹

IT IS SO ORDERED.

Signed this 15th day of November, 2006.

/s/ _____ David RHerndon
United States District Judge

¹ The Court does not typically allow filings *instante*. Instead, Defendant is advised, in the future, to file a motion for leave to amend, sending the proposed amended document to the chambers e-mail address at DRHpd@ilsd.uscourts.gov for review. If such leave is granted, Defendant will be given time to file the amended document.